

# CONGRESSIONAL RECORD.

## PROCEEDINGS AND DEBATES OF THE FORTY-FIFTH CONGRESS.

### SPECIAL SESSION OF THE SENATE.

#### IN SENATE.

MONDAY, March 5, 1877.

The Senators assembled in the Senate Chamber at twelve o'clock noon, in pursuance of the proclamation of the President convening the Senate in special session.

#### PRAYER.

Rev. BYRON SUNDERLAND, D. D., Chaplain of the Senate, offered prayer, as follows:

We praise Thee, O Lord of hosts, and laud and magnify Thy name, for that Thou art our keeper and our helper in our persons, in our families, in our estates, and in our nation. In every day of darkness our fathers trusted in Thee and were not confounded. Our history is full of Thy presence, to admonish and chasten, to correct and deliver. We thank Thee for the heritage of civil and religious liberty, for the strength of government, for the freedom of enterprise, for the light of intelligence, for the scope of prosperity, and for all the monuments of Christian civilization. We thank Thee for our laws and institutions, so often imperiled, and yet so often preserved. We thank Thee for the spirit, the endurance, and the hope of the people. We thank Thee for the past and we trust Thee for the future. Establish Thine word in all hearts and Thine ordinances in all our borders; sweep away all infidelity, with all its terrible brood; cause Thy church to flourish in our midst; kindle the lamps of learning on every side; fill the people with pure knowledge and religious faith. Make us one and all Americans worthy of the name. Across the firmament of our destiny write in letters of living light, "Patriotism and philanthropy," to shine forever. Bless, we humbly entreat Thee, those Thy servants who are here to retire from the high cares of office, and those Thy servants who in Thy providence are now to succeed them. O Lord our God, set the seal of Thy favor upon the doings of this day. Give acceptance of these things with all the people, and confirm the welfare of the nation in every State and in every city and over all the public domain. Bless, we humbly entreat Thee, the nations near and far who are here present this day by their ambassadors to witness with fraternity and congratulation the passing of this power from one hand to another.

O, Lord God of our fathers, forsake us not in such a time as this. Our confidence is alone in Thee. Out of every storm guide us into the open, quiet sea. Pardon our sins, exalt our life, and be our shield, our excellency, and our exceeding great reward; through Jesus Christ our Lord and Saviour. Amen.

#### PROCLAMATION.

The SECRETARY, [Mr. GEORGE C. GORHAM.] The Senate will please come to order. The Chief Clerk will read the proclamation under which the Senate is convened.

The Chief Clerk read as follows:

*By the President of the United States of America.*

#### A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at twelve o'clock on the 5th day of March next, to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, Ulysses S. Grant, President of the United States, have considered it to be my duty to issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business, at the Capitol, in the City of Washington, on the 5th day of

March next, at twelve o'clock at noon on that day, of which all who shall at that time be entitled to act as members of that body, are hereby required to take notice. Given under my hand and the seal of the United States, at Washington, the 2d day of March, A. D. 1877, and of the Independence of the United States of America, the one hundred and first.

U. S. GRANT.

[SEAL.]  
By the President:

HAMILTON FISH, Secretary of State.

#### SWEARING IN AND ELECTION OF PRESIDENT PRO TEMPORE.

Mr. HAMLIN. Mr. Secretary, to perfect the organization of this body and in accordance with precedent, I submit a resolution for immediate consideration.

The SECRETARY. The Senator from Maine offers a resolution and asks for its present consideration. It will be reported by the Chief Clerk.

The Chief Clerk read as follows:

*Resolved*, That the oath of office be administered by Senator TIMOTHY O. HOWE to Thomas W. Ferry, Senator-elect from the State of Michigan, and that he be and hereby is chosen President of the Senate *pro tempore*.

The Secretary put the question on the resolution, and it was adopted.

The SECRETARY. Senator HOWE and Senator FERRY will please come forward to the desk.

The Senators named advanced to the desk; the oaths prescribed by law were administered by Mr. HOWE to Mr. FERRY, and he took his seat in the Senate and the chair as President *pro tempore*, and said:

Senators, accept my sincere acknowledgments for this renewal of your courtesy and confidence. I will at once enter upon the duties of the Chair. The Secretary will call the roll of Senators newly elected who will present themselves at the desk and be sworn.

The Chief Clerk read the following names:

Henry B. Anthony, of Rhode Island.  
James B. Beck, of Kentucky.  
James G. Blaine, of Maine.  
George F. Hoar, of Massachusetts.  
David Davis, of Illinois.  
Henry G. Davis, of West Virginia.  
La Fayette Grover, of Oregon.  
Samuel J. Kirkwood, of Iowa.  
John R. McPherson, of New Jersey.  
Preston B. Plumb, of Kansas.  
Edward H. Rollins, of New Hampshire.  
Eli Saulsbury, of Delaware.  
Alvin Saunders, of Nebraska.  
Henry M. Teller, of Colorado.  
William Windom, of Minnesota.  
Richard Coke, of Texas.  
A. H. Garland, of Arkansas.  
Isham G. Harris, of Tennessee.  
Benjamin H. Hill, of Georgia.  
John W. Johnston, of Virginia.  
Matt W. Ransom, of North Carolina.

As their names were called the respective Senators-elect came forward and the oaths prescribed by law were administered to them, with the exception of Mr. Grover, who was not present.

#### CONTESTED SEATS.

The Chief Clerk called

William Pitt Kellogg, of Louisiana, who advanced to the desk.

Mr. BOGY. Mr. President, I make an objection to the oath being administered to Mr. Kellogg, of Louisiana. I understand there will be a contest as to his right to a seat. We all know that there are two legislatures now in session in the State of Louisiana, and it is a matter to be investigated which of these legislatures has the right to elect a Senator. The question of his admission properly should be submitted to the Committee on Privileges and Elections and reported upon by that committee. I therefore file my objection against the oath being administered to the gentleman from Louisiana, Mr. Kellogg.

Mr. ANTHONY. Mr. President, I offer the following resolution:

*Resolved*, That the credentials of Senators-elect in all disputed or contested cases lie upon the table until to-morrow.

Mr. THURMAN. Mr. President, I should like to know whose seats are the disputed seats, whose seats are contested, before I vote for as sweeping a resolution as that. I do not know what objections are to be made. We have one here. Let these credentials lie on the table until to-morrow. When an objection is made again, if there is any foundation for it at all, let the credentials to which objection is then made take the same course; but to pass a resolution that would enable any Senator, by merely rising and objecting to a claimant, to prevent him being sworn in, when there might be no ground whatever for the objection, when his credentials were perfectly regular and made a perfect *prima facie* case, is it seems to me a rather dangerous experiment. I think each case had better stand on its own merits; and I suggest to my friend from Rhode Island that, instead of offering that sweeping resolution, he move that the credentials of Mr. Kellogg lie on the table until to-morrow.

Mr. CAMERON, of Pennsylvania. Mr. President, it strikes me that the resolution of the Senator from Rhode Island is eminently proper. There will be several cases, I understand, about which there will be dispute, and it seems to me, therefore, that the resolution of the Senator from Rhode Island is proper. We cannot investigate to-day the right to a seat of a single member, and certainly not of four or five, and I understand there may be that many contested cases. Therefore I trust we shall pass the resolution of the Senator from Rhode Island, and to-morrow or next day, or any other day take our time to discuss the propriety of admitting these gentlemen who come here claiming rights but who may have possibly no right. I think the better way is to just take this resolution at once.

Mr. THURMAN. I move to amend the resolution by striking out all after the word "resolved" and inserting:

That the credentials of William Pitt Kellogg lie on the table until to-morrow.

Mr. CAMERON, of Pennsylvania. I trust we shall not adopt the amendment.

Mr. CONKLING. Mr. President, concurring as I do in the criticism of the honorable Senator from Ohio upon this resolution, for I think there is some force in it although I do not believe that in the Senate a captious objection would be made, I suggest to him that, the Senate sitting now rather for a ceremonial purpose than for any purpose of business, it is not desirable that we should be detained by repeated divisions, as may occur. As no Senator whose credentials may be objected to will suffer, nor will his constituents, nor will any other interest, because until to-morrow may be postponed his taking of the oath, in view of the nature of this occasion and the very brief postponement proposed, I appeal to the honorable Senator from Ohio to let this be disposed of under the general resolution, knowing as he does that, before the Senate proceeds to any business, the question will be encountered in each case, and then, with time, the Senate can do what should be done in respect of each case. If we are to pass upon this amendment now, it will lead to subsequent votes and consume time. And I submit to the honorable Senator from Ohio it saves no point which would not be saved practically by the adoption of the resolution proposed by the honorable Senator from Rhode Island.

Mr. THURMAN. Mr. President, when I first rose, I suggested that the objections that are to be made be specified now, so that we might know to whom they applied, and not vote in the dark on this resolution; but on the suggestion of the Senator from New York, which I trust is well founded, that no mere captious objection will be made to the swearing of a Senator whose credentials are perfectly regular, I withdraw the amendment that I offered.

The PRESIDENT *pro tempore*. The question is on the resolution of the Senator from Rhode Island.

Mr. BOGY. I suggest before we take the vote on the resolution of the Senator from Rhode Island, that the names of the persons whose seats will be contested be called, so that we may know to whom the resolution will apply. As we now stand we do not know the names of those persons whose right is to be contested. I ask that the names be read by the clerk.

The PRESIDENT *pro tempore*. The question is on the resolution submitted by the Senator from Rhode Island.

The resolution was agreed to.

The PRESIDENT *pro tempore*. The Chair is advised that there are two sets of credentials from the State of South Carolina and but one vacancy.

Mr. CAMERON, of Pennsylvania. Let that case lie over.

Mr. GORDON. I move that that case lie on the table.

Mr. PATTERSON. The resolution carries all the cases.

The PRESIDENT *pro tempore*. The credentials will lie on the table under the resolution.

Mr. CONKLING. A mere objection, I submit, carries those credentials to the table under the resolution.

The PRESIDENT *pro tempore*. So the Chair understands. The Chair understood the motion of the Senator from Georgia to be in the nature of an objection.

Mr. GORDON. I object to the credentials of one of the claimants from South Carolina.

Mr. SPENCER. I object to the oath being administered to the Senators purporting to be elected from the States of Alabama and Mississippi, and I base this objection upon grounds now before the late Committee on Privileges and Elections.

The PRESIDENT *pro tempore*. Objection being made to those two cases, the credentials of those Senators will also lie on the table. This completes the list of Senators-elect to be sworn.

#### SENATORS PRESENT.

The Senators-elect having been sworn and taken their seats in the Senate, the following Senators were present:

#### FROM THE STATE OF

Maine—James G. Blaine and Hannibal Hamlin.  
 New Hampshire—Edward H. Rollins and Bainbridge Wadleigh.  
 Vermont—Justin S. Morrill.  
 Massachusetts—Henry L. Dawes and George F. Hoar.  
 Rhode Island—Henry B. Anthony and Ambrose E. Burnside.  
 Connecticut—William W. Eaton.  
 New York—Roscoe Conkling and Francis Kernan.  
 New Jersey—John R. McPherson.  
 Pennsylvania—Simon Cameron and William A. Wallace.  
 Delaware—Thomas F. Bayard and Eli Saulsbury.  
 Maryland—George R. Dennis and William Pinkney Whyte.  
 Virginia—John W. Johnston and Robert E. Withers.  
 North Carolina—Matt W. Ransom.  
 South Carolina—John J. Patterson.  
 Georgia—John B. Gordon and Benjamin H. Hill.  
 Florida—Simon B. Conover and Charles W. Jones.  
 Alabama—George E. Spencer.  
 Mississippi—Blanche K. Bruce.  
 Texas—Richard Coke and Samuel B. Maxey.  
 Arkansas—Stephen W. Dorsey and A. H. Garland.  
 Missouri—Lewis V. Boggy and Francis M. Cockrell.  
 Tennessee—James E. Bailey and Isham G. Harris.  
 Kentucky—James B. Beck and Thomas C. McCreery.  
 West Virginia—Henry G. Davis and Frank Hereford.  
 Ohio—John Sherman and Allen G. Thurman.  
 Indiana—Joseph E. McDonald and Oliver P. Morton.  
 Illinois—David Davis and Richard J. Oglesby.  
 Michigan—Isaac P. Christiancy and Thomas W. Ferry.  
 Wisconsin—Angus Cameron and Timothy O. Howe.  
 Iowa—William B. Allison and Samuel J. Kirkwood.  
 Minnesota—Samuel J. R. McMillan and William Windom.  
 Kansas—John J. Ingalls and Preston B. Plumb.  
 Nebraska—Algernon S. Paddock and Alvin Saunders.  
 Nevada—John P. Jones and William Sharon.  
 California—Newton Booth and Aaron A. Sargent.  
 Oregon—John H. Mitchell.  
 Colorado—Jerome B. Chaffee and Henry M. Teller.

#### SWEARING IN OF VICE-PRESIDENT.

The PRESIDENT *pro tempore*. Is the Vice-President of the United States elect ready to take the prescribed oath of office?

The Vice-President-elect (Hon. William A. Wheeler, of New York) entered the Chamber accompanied by Mr. McCREERY, of the committee of arrangements, and was conducted to the chair.

The PRESIDENT *pro tempore*. I have great pleasure in presenting the Vice-President of the United States elect.

The VICE-PRESIDENT ELECT. Senators, official station ever brings with it corresponding duty and responsibility. Service in analogous parliamentary spheres has taught me how delicate and at times difficult and complex are the duties which the oath I am about to take will impose upon me. As President of the Senate it is my sincere purpose to lift myself entirely above the realms of partisanship; to administer its rules in their true spirit, with courteous firmness, and by all means in my power to facilitate and expedite its deliberations. In doing this, I shall need your aid, your generous forbearance, and oftentimes your lenient judgment, upon all of which I know I may confidently rely when you shall be satisfied of the rectitude of my intentions. I trust that the relation about to be established between us may prove mutually pleasant and productive of good to the best interests of our National Commonwealth.

Mr. President, I am now ready to take the oath of office prescribed by the Constitution.

The PRESIDENT *pro tempore* administered the oath and said:

Mr. Vice-President, I surrender the chair to which you have been duly elected.

#### INAUGURATION CEREMONIES.

The persons entitled to admission on the floor of the Senate Chamber having been admitted to the places reserved for them, the Presi-



dent, Hon. RUTHERFORD B. HAYES of Ohio, entered the Senate Chamber, accompanied by the late President, Hon. ULYSSES S. GRANT, and Mr. MORRILL, Mr. HOWE, and Mr. MCCREERY, members of the committee of arrangements, and was accompanied to a seat in front of the Secretary's desk, and the late President and the members of the committee were seated on his right and left.

The VICE-PRESIDENT. The Sergeant-at-Arms will now execute the order of the Senate relative to the inaugural ceremonies of the President of the United States.

Those in the Senate Chamber proceeded to the platform on the central portico of the Capitol in the following order:

The marshal of the Supreme Court.

Ex-Presidents and Ex-Vice-Presidents.

The Supreme Court of the United States.

The Sergeant-at-Arms of the Senate.

The committee of arrangements.

The President of the United States and the late President.

The Vice-President and the Secretary of the Senate.

The members of the Senate.

The Diplomatic Corps.

Heads of Departments.

Ex-members of the House of Representatives and members-elect of the Forty-fifth Congress.

Governors of States.

And other persons admitted to the floor of the Senate Chamber and to the reserved seats at the left of the Diplomatic Gallery.

The President-elect delivered the following

#### INAUGURAL ADDRESS.

FELLOW-CITIZENS: We have assembled to repeat the public ceremonial, begun by Washington, observed by all my predecessors, and now a time-honored custom, which marks the commencement of a new term of the presidential office. Called to the duties of this great trust, I proceed, in compliance with usage, to announce some of the leading principles, on the subjects that now chiefly engage the public attention, by which it is my desire to be guided in the discharge of those duties. I shall not undertake to lay down irrevocable principles or measures of administration, but rather to speak of the motives which should animate us, and to suggest certain important ends to be attained in accordance with our institutions and essential to the welfare of our country.

At the outset of the discussions which preceded the recent presidential election, it seemed to me fitting that I should fully make known my sentiments in regard to several of the important questions which then appeared to demand the consideration of the country. Following the example, and in part adopting the language, of one of my predecessors, I wish now, when every motive for misrepresentation has passed away, to repeat what was said before the election, trusting that my countrymen will candidly weigh and understand it, and that they will feel assured that the sentiments declared in accepting the nomination for the Presidency will be the standard of my conduct in the path before me, charged, as I now am, with the grave and difficult task of carrying them out in the practical administration of the Government so far as depends, under the Constitution and laws, on the Chief Executive of the nation.

The permanent pacification of the country upon such principles and by such measures as will secure the complete protection of all its citizens in the free enjoyment of all their constitutional rights is now the one subject in our public affairs, which all thoughtful and patriotic citizens regard as of supreme importance.

Many of the calamitous effects of the tremendous revolution which has passed over the Southern States still remain. The immeasurable benefits which will surely follow, sooner or later, the hearty and generous acceptance of the legitimate results of that revolution, have not yet been realized. Difficult and embarrassing questions meet us at the threshold of this subject. The people of those States are still impoverished, and the inestimable blessing of wise, honest, and peaceful local self-government is not fully enjoyed. Whatever difference of opinion may exist as to the cause of this condition of things, the fact is clear, that, in the progress of events, the time has come when such government is the imperative necessity required by all the varied interests, public and private, of those States. But it must not be forgotten that only a local government which recognizes and maintains inviolate the rights of all is a true self-government.

With respect to the two distinct races whose peculiar relations to each other have brought upon us the deplorable complications and perplexities which exist in those States, it must be a government which guards the interests of both races carefully and equally. It must be a government which submits loyally and heartily to the Constitution and the laws—the laws of the nation and the laws of the States themselves—accepting and obeying faithfully the whole Constitution as it is.

Resting upon this sure and substantial foundation, the superstructure of beneficent local governments can be built up, and not otherwise. In furtherance of such obedience to the letter and the spirit of the Constitution, and in behalf of all that its attainment implies, all so-called party interests lose their apparent importance, and party lines may well be permitted to fade into insignificance. The question we have to consider for the immediate welfare of those States of the

Union is the question of government or no government, of social order and all the peaceful industries and the happiness that belong to it, or a return to barbarism. It is a question in which every citizen of the nation is deeply interested, and with respect to which we ought not to be, in a partisan sense, either republicans or democrats, but fellow-citizens and fellow-men, to whom the interests of a common country and a common humanity are dear.

The sweeping revolution of the entire labor system of a large portion of our country, and the advance of four millions of people from a condition of servitude to that of citizenship, upon an equal footing with their former masters, could not occur without presenting problems of the gravest moment, to be dealt with by the emancipated race, by their former masters, and by the General Government, the author of the act of emancipation. That it was a wise, just, and providential act, fraught with good for all concerned, is now generally conceded throughout the country. That a moral obligation rests upon the National Government to employ its constitutional power and influence to establish the rights of the people it has emancipated, and to protect them in the enjoyment of those rights when they are infringed or assailed, is also generally admitted.

The evils which afflict the Southern States can only be removed or remedied by the united and harmonious efforts of both races, actuated by motives of mutual sympathy and regard. And while in duty bound and fully determined to protect the rights of all by every constitutional means at the disposal of my Administration, I am sincerely anxious to use every legitimate influence in favor of honest and efficient local self-government as the true resource of those States for the promotion of the contentment and prosperity of their citizens. In the effort I shall make to accomplish this purpose I ask the cordial co-operation of all who cherish an interest in the welfare of the country, trusting that party ties and the prejudice of race will be freely surrendered in behalf of the great purpose to be accomplished. In the important work of restoring the South, it is not the political situation alone that merits attention. The material development of that section of the country has been arrested by the social and political revolution through which it has passed, and now needs and deserves the considerate care of the National Government within the just limits prescribed by the Constitution and wise public economy.

But at the basis of all prosperity, for that as well as for every other part of the country, lies the improvement of the intellectual and moral condition of the people. Universal suffrage should rest upon universal education. To this end, liberal and permanent provision should be made for the support of free schools by the State governments, and, if need be, supplemented by legitimate aid from national authority.

Let me assure my countrymen of the Southern States that it is my earnest desire to regard and promote their truest interests, the interests of the white and of the colored people both and equally, and to put forth my best efforts in behalf of a civil policy which will forever wipe out in our political affairs the color line, and the distinction between North and South, to the end that we may have not merely a united North or a united South, but a united country.

I ask the attention of the public to the paramount necessity of reform in our civil service, a reform not merely as to certain abuses and practices of so-called official patronage, which have come to have the sanction of usage in the several departments of our Government, but a change in the system of appointment itself; a reform that shall be thorough, radical, and complete; a return to the principles and practices of the founders of the Government. They neither expected nor desired from public officers any partisan service. They meant that public officers should owe their whole service to the Government and to the people. They meant that the officer should be secure in his tenure as long as his personal character remained untarnished, and the performance of his duties satisfactory. They held that appointments to office were not to be made nor expected merely as rewards for partisan services, nor merely on the nomination of members of Congress, as being entitled in any respect to the control of such appointments.

The fact that both the great political parties of the country, in declaring their principles prior to the election, gave a prominent place to the subject of reform of our civil service, recognizing and strongly urging its necessity, in terms almost identical in their specific import with those I have here employed, must be accepted as a conclusive argument in behalf of these measures. It must be regarded as the expression of the united voice and will of the whole country upon this subject, and both political parties are virtually pledged to give it their unreserved support.

The President of the United States of necessity owes his election to office to the suffrage and zealous labors of a political party, the members of which cherish with ardor, and regard as of essential importance, the principles of their party organization. But he should strive to be always mindful of the fact that he serves his party best who serves the country best.

In furtherance of the reform we seek, and in other important respects a change of great importance, I recommend an amendment to the Constitution prescribing a term of six years for the presidential office, and forbidding a re-election.

With respect to the financial condition of the country, I shall not attempt an extended history of the embarrassment and prostration

which we have suffered during the past three years. The depression in all our varied commercial and manufacturing interests throughout the country, which began in September, 1873, still continues. It is very gratifying, however, to be able to say that there are indications all around us of a coming change to prosperous times.

Upon the currency question, intimately connected as it is with this topic, I may be permitted to repeat here the statement made in my letter of acceptance, that in my judgment the feeling of uncertainty inseparable from an irredeemable paper currency, with its fluctuation of values, is one of the greatest obstacles to a return to prosperous times. The only safe paper currency is one which rests upon a coin basis, and is at all times and promptly convertible into coin.

I adhere to the views heretofore expressed by me in favor of congressional legislation in behalf of an early resumption of specie payment, and I am satisfied not only that this is wise, but that the interests as well as the public sentiment of the country imperatively demand it.

Passing from these remarks upon the condition of our own country to consider our relations with other lands, we are reminded, by the international complications abroad, threatening the peace of Europe, that our traditional rule of non-interference in the affairs of foreign nations has proved of great value in past times, and ought to be strictly observed.

The policy inaugurated by my honored predecessor, President Grant, of submitting to arbitration grave questions in dispute between ourselves and foreign powers, points to a new and incomparably the best instrumentality for the preservation of peace, and will, as I believe, become a beneficent example of the course to be pursued in similar emergencies by other nations.

If, unhappily, questions of difference should, at any time during the period of my administration, arise between the United States and any foreign government, it will certainly be my disposition and my hope to aid in their settlement in the same peaceful and honorable way, thus securing to our country the great blessings of peace and mutual good offices with all the nations of the world.

Fellow-citizens, we have reached the close of a political contest, marked by the excitement which usually attends the contests between great political parties whose members espouse and advocate with earnest faith their respective creeds. The circumstances were, perhaps, in no respect extraordinary, save in the closeness and the consequent uncertainty of the result.

For the first time in the history of the country, it has been deemed best, in view of the peculiar circumstances of the case, that the objections and questions in dispute with reference to the counting of the electoral votes should be referred to the decision of a tribunal appointed for this purpose.

That tribunal—established by law for this sole purpose; its members, all of them, men of long-established reputation for integrity and intelligence, and, with the exception of those who are also members of the supreme judiciary, chosen equally from both political parties; its deliberations enlightened by the research and the arguments of able counsel—was entitled to the fullest confidence of the American people. Its decisions have been patiently waited for, and accepted as legally conclusive by the general judgment of the public. For the present opinion will widely vary as to the wisdom of the several conclusions announced by that tribunal. This is to be anticipated in every instance where matters of dispute are made the subject of arbitration under the forms of law. Human judgment is never unerring, and is rarely regarded as otherwise than wrong by the unsuccessful party in the contest.

The fact that two great political parties have in this way settled a dispute, in regard to which good men differ as to the facts and the law no less than as to the proper course to be pursued in solving the question in controversy, is an occasion for general rejoicing.

Upon one point there is entire unanimity in public sentiment, that conflicting claims to the Presidency must be amicably and peaceably adjusted, and that when so adjusted the general acquiescence of the nation ought surely to follow.

It has been reserved for a government of the people, where the right of suffrage is universal, to give to the world the first example in history of a great nation, in the midst of a struggle of opposing parties for power, hushing its party tumults, to yield the issue of the contest to adjustment according to the forms of law.

Looking for the guidance of that Divine Hand by which the destinies of nations and individuals are shaped, I call upon you, Senators, Representatives, judges, fellow-citizens, here and everywhere, to unite with me in an earnest effort to secure to our country the blessings, not only of material prosperity, but of justice, peace, and union; a Union depending not upon the constraint of force, but upon the loving devotion of a free people; "and that all things may be so ordered and settled upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us for all generations."

The oath of office was then administered to the President by the Chief-Justice of the United States.

The Senate returned to their Chamber, and the Vice-President took the chair at twenty-five minutes past one o'clock p. m.

#### NOTIFICATION TO THE PRESIDENT.

Mr. HAMLIN. Mr. President, I submit the following resolution, and ask for its consideration at this time:

*Resolved*, That a committee of three members be appointed by the Vice-President to wait upon the President of the United States and inform him that a quorum of the Senate has assembled and that the Senate is ready to receive any communication he may be pleased to make.

The resolution was considered by unanimous consent and agreed to. The VICE-PRESIDENT appointed Mr. HAMLIN, Mr. MORTON, and Mr. RANSOM as the committee.

#### ORDER OF PROCEEDING.

Mr. MORTON. Mr. President, I move that when the Senate adjourn it be to meet on Wednesday at twelve o'clock.

Mr. HAMLIN. Mr. President, I desire to ask the Senator from Indiana if it is not better that we adjourn until to-morrow. We may assume that the President, on our giving him the proper notice, may say that he is ready to communicate immediately with this body, and if so would it not be better that the body should be in session to receive that communication? If the President should say that at a subsequent time he would be ready to communicate to the Senate, then we should convene at that time; but if the exigency should arise where the President would be ready to communicate to-morrow, it seems to me we ought to be in session to receive such communication.

Mr. MORTON. My motion was simply for the purpose of giving the President a day to prepare and submit any communication he may have to make. If there is any objection to the motion I withdraw it.

The VICE-PRESIDENT. The motion of the Senator from Indiana is withdrawn.

#### HOOR OF MEETING.

On motion of Mr. MITCHELL, it was

*Ordered*, That the hour of the daily meeting of the Senate, until otherwise ordered, be twelve o'clock m.

Mr. INGALLS. I move that the Senate do now adjourn.

The motion was agreed to; and (at one o'clock and thirty minutes p. m.) the Senate adjourned.

#### IN SENATE.

TUESDAY, March 6, 1877.

WILLIAM H. BARNUM, of Connecticut, and THEODORE F. RANDOLPH, of New Jersey, appeared in their seats to-day.

Prayer by the Chaplain, Rev. BYRON SUNDERLAND, D. D.

The Journal of yesterday's proceedings was read and approved.

#### ORDER OF PROCEEDING.

The VICE-PRESIDENT. The Chair, not understanding the eighth rule of the Senate prescribing the regular order of business to be applicable at this session, awaits the pleasure of the Senate.

Mr. SHERMAN. I beg leave to present a petition of Colonel Thomas Worthington, of Ohio, praying for a pension. It will have to lie on the table until the committees are appointed.

Mr. CONKLING. Before the Senate receives the petition presented by the Senator from Ohio I wish to inquire whether at this called session of the Senate alone legislative business, or petitions relating to it, can be in order. My inquiry is not an objection to the reception of the petition presented by the Senator from Ohio, but it is for information for the government of myself and other Senators.

The VICE-PRESIDENT. The Chair had supposed that the former practice of the Senate was otherwise, and that nothing could be introduced at this session which related to legislative business. If there is any doubt upon the matter, the Chair will submit it to the Senate.

Mr. SHERMAN. I had some doubt upon that point before I submitted the petition, and I presented it in order to raise the question. My impression is that the Senate has always held that it is a continuous body and can receive petitions, but certainly it cannot do any legislative act at a called executive session. In order to fortify myself, I asked the Senator from Rhode Island, [Mr. ANTHONY,] whose experience here is longer than my own, and it was his impression, as I understood him, that the presentation of petitions was now in order.

Mr. ANTHONY. I was under the impression that petitions could be received at any time, but that no legislation could be had.

Mr. CONKLING. Will the Senator from Rhode Island allow me to ask a question? It may be said, I think, in general terms that the practice has been both ways in the Senate; but I ask the Senator from Rhode Island whether the practice of receiving petitions in the instance which can be referred to was not under a special order adopted by the Senate? If the Senator will remember, I think he will recall the fact that the Senate adopted on one occasion a certain order or resolution, and under that the question arose as to the true construction, and after considerable discussion it was held on that occasion that petitions might be received and laid upon the table, or possibly referred to committees; I do not remember about that. I do not think, however, that the practice of the Senate of late has